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15 November 07

Patent application 09/892,351 Mark Dawson.

Phone interview of 16 Oct 07 with examiner Brian Q. Le

Claims discussed: 53, 58 and non elected 59-79 and 81-85.

1. Contrary to the examiners 22. Oct 07 record of a phone interview of 16 October 07, I did not have any questions concerning amendment procedure.
2. The examiner was busy and not having much time. I spoken to him by phone on 3 dates pursuing his attention.
3. I read out to him the amendment for claim 53. this included the inclusion of 'broad spectrum' suggested by him in item 1 on page 2 his report of 31 July 07, regarding (0009) of my application. He said he could make no comment.
4. He explained that my continued amendments to filter values are not allowed and that I should amend them back to the values as filed.
5. He continued to suggest that I amend the specification and claims back as 13 Sept 05 when the application was accepted.
I preferred to continue with an actual re-examination with amended claims as has been requested and pointed out that the specification from then also included amended filter values.
6. I informed him that some questions of his 31 July report were repeats of the prior action of 3 April 07 and that these points had already been covered in my reply sent 11 May 07.
We discussed page 5 of his report, regarding claim 58, as an example of such a repeat, where also the language in the action is unintelligible.
He explained that he only meant that "images, being anaglyphic record..."
of claim 58 was odd. I planned an amendment to omit it.
7. That non elected claims 59-79 and 81-85 are not allowed as dependent claims was discussed.
I planned to remove them.
8. I informed him that as his office action suggested a fundamental misunderstanding of the applications substance, I would post examples of the 3-D image on an internet page for him to view and that I would mail 3-D viewers that enable 3-D viewing. This plan was accepted. I also checked with USPTO legal advice, who confirmed this to be allowable.
9. An understanding was reached that I would not amend back to the application that was prior accepted but rather that I would respond to his report, cover all points in full and make the required amendments.



M Dawson.